

CHAITMAN LLP

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Presentment Date: December 28, 2015 12:00 PM

Objection Date: December 23, 2015

*Attorneys for Defendants David Gross and Irma Gross
Individually and as Joint Tenants*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

DAVID GROSS and IRMA GROSS Individually and
as Joint Tenants,

Defendants.

Adv. Pro. No. 08-1789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04667 (SMB)

**DECLARATION OF HELEN DAVIS CHAITMAN
IN SUPPORT OF AN APPLICATION FOR AN ORDER
GRANTING DEFENDANTS TIME TO RETAIN NEW COUNSEL**

I, Helen Davis Chaitman, hereby declare, under penalty of perjury pursuant to 28 U.S.C. §1746, as follows:

1. I am a partner with Chaitman LLP. Prior to September 18, 2015, I was a partner of Becker & Poliakoff LLP which served as counsel to Defendants David Gross and Irma Gross Individually and as Joint Tenants (the “Defendants”). On November 23, 2015, this Court entered an order authorizing Becker & Poliakoff LLP to withdraw as counsel to the Defendants [ECF #63].

2. The Defendants have never retained Chaitman LLP as their counsel and Chaitman LLP does not choose to represent the Defendants. I have informed the Defendants that I do not represent them.

3. However, to the best of my knowledge, they have not retained other counsel and I would like to assure that the Defendants are given sufficient time to retain counsel of their own choice.

4. Accordingly, I respectfully request that the Court give the Defendants a 30-day stay of the litigation so that they can retain other counsel.

Dated: December 17, 2015
New York, New York

/s/ Helen Davis Chaitman